

## CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **July 18, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**\*\* 6:00 p.m. - Closed Session -- See Attached Agenda.**

### **Call to Order**

### **Pledge of Allegiance**

### **Roll Call:**

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

### **Verification of Agenda Posting**

**Presentations: Oath of Office to new Paid Call Firefighters**  
**Employee Service Awards: 2<sup>nd</sup> Quarter 2005**

### **6:00 P.M. - CLOSED SESSION AGENDA:**

A. Public comment (limited to any item listed on Closed Session agenda).

**B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:**

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
  - a. RWQCB – Cease and Desist Order No. R3-2002-0105
  - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
  - c. Nicholson v. Hollister, Case No. CU-04-00063
  - d. Borges et al v. Hollister, Case No. CV030139
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

**6:30 P. M. - AGENDA**

**A. CONSENT RESOLUTION (July 18, 2005):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

**Consent Items are Numbers A1, A2, and A3.**

- A1. Minutes of Regular Meeting of July 5, 2005 and Special Meetings of June 27, 2005, and June 27, 2005 (Joint).

Approve Minutes of the Regular Meeting of July 5, 2005 and Special Meetings June 27, 2005, and June 27, 2005 (Joint), as submitted.

- A2. Warrant Register.

The City Council will ratify and approve the following Warrant Register:

- June 27, 2005                      \$581,358.18

A3.    Claims Against the City – Bates and Hennessey.

Claims against the City have been filed by Pat A. Bates and Tanya Hennessey. Staff recommends denial of these claims and seeks authorization to send the Notice of Rejection to each claimant.

**B.    PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

1.    PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

**C.    PUBLIC HEARINGS (On or About 6:30 p.m.)**

1.    Resolution No. 2005-103, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER CONFIRMING THE BOUNDARY AND ASSESSMENT OF LANDSCAPE AND LIGHTING DISTRICT 93-1, AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2005 / 2006.

**CONDUCT PUBLIC HEARING**

This Resolution confirms the boundary and assessment of Landscape and Lighting District 93-1 and orders the levy and collection of assessments for fiscal year 2005 / 2006.

**D.    INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1.    Resolution No. 2005-104, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING APPROVING VEHICULAR CLOSURE OF A PORTION OF BROWN ALLEY.

This Resolution authorizes the closure of a portion of Brown Alley to vehicular traffic.

2.    Resolution No. 2005-105, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH MEGAN GUERRA.

This Resolution authorizes the mayor to execute a lease agreement with Megan Guerra for a portion of Brown Alley.

3. Resolution No. 2005-106, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING PROPOSALS AND AWARDING THE CONTRACT TO SAN JOSE SIGNAL ELECTRIC CONSTRUCTION, INC. FOR THE HAZARD ELIMINATION SAFETY (HES) SAN FELIPE ROAD/FALLON ROAD TRAFFIC SIGNALIZATION PROJECT CIP 2359.

This Resolution accepts proposals and awards the contract to San Jose Signal Electric Construction, Inc. for the San Felipe Road/Fallon Road Traffic Signalization Project, CIP 2359.

4. Resolution No. 2005-107, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH AEROMETRIC SURVEYS FOR THE PAVEMENT OVERLAY AND ROAD RECONSTRUCTION 2005 PROJECT, CIP 2404.

This Resolution approves Amendment No. 1 to the professional services contract with Aerometric Surveys for the Pavement Overlay and Road Reconstruction 2005 Project, CIP 2404.

5. Resolution No. 2005-108, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING SUPPLEMENTAL APPROPRIATION OF FUNDS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE 2005-2006 FISCAL YEAR.

This Resolution adopts supplemental appropriation for capital projects that have previously been approved and funded. These appropriations are required to fund the projects in the current fiscal year.

6. Resolution No. 2005-109, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER CONFIRMING THE REPORT OF THE CODE ENFORCEMENT OFFICER AND AUTHORIZING THE COLLECTION OF ABATEMENT AND RELATED ADMINISTRATIVE COSTS BY A NUISANCE ABATEMENT LIEN UPON CERTAIN REAL PROPERTY LOCATED AT 1148 SAN BENITO STREET, HOLLISTER (APN 056-130-004-0).

This Resolution confirms the costs of abatement and authorizes a nuisance abatement lien to be recorded upon real property to collect the costs of abatement.

7. Read by Title Only and Introduce Ordinance No. 1000, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING CERTAIN PROVISIONS OF THE CITY'S SEWER SERVICE SYSTEM ORDINANCE, MUNICIPAL CODE CHAPTER 13.04, RELATING TO DEFINITIONS, ENFORCEMENT AND ABATEMENT.

This Ordinance amends the enforcement provisions of the City's sewer system ordinance.

**E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Receive status report on Hollister Municipal Airport.

City Council will receive an oral report regarding the Hollister Municipal Airport projects and finances.

4. May '05 City of Hollister and Hollister Redevelopment Agency Financial Progress Reports.

Staff will present a financial progress report for activity through May 31, 2005.

**F. UNFINISHED BUSINESS:**

1. Update on Water and Wastewater Issues

City Council will receive a report from Staff on water and wastewater issues.

2. Presentation of 2005/2006 Fiscal Year Budget.

The City Council will receive the 2005/2006 Fiscal Year Budget which will be adopted at a Special meeting on July 25, 2005.

**G. NEW BUSINESS:**

None

**H. MISCELLANEOUS:**

None.

**ADJOURNMENT:**

Next Regular City Council Meeting is scheduled for August 1, 2005, at 6:30 P.M.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*